

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 99

HOUSE BILL 2336

AN ACT

AMENDING SECTIONS 28-653 AND 28-1110, ARIZONA REVISED STATUTES; RELATING TO
TRAFFIC CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-653, Arizona Revised Statutes, is amended to
3 read:

4 28-653. Flagger training and certification; exception

5 A. Any individual who is stationed in a state highway work zone to
6 provide temporary traffic control shall have completed training and be
7 certified by a program that meets the training and certification standards of
8 the national safety council highway flagger training program, the American
9 traffic safety services association flagger program or an equivalent program
10 that meets the same objectives. An equivalent program must meet the United
11 States department of transportation federal highway administration standards
12 for the control of traffic through highway work zones as defined in the
13 manual on uniform traffic control devices for streets and highways.

14 B. Flaggers shall repeat training and certification requirements at
15 least once every ~~two~~ FOUR years.

16 C. This section does not apply to law enforcement personnel who are
17 employed by governmental entities.

18 Sec. 2. Section 28-1110, Arizona Revised Statutes, is amended to read:

19 28-1110. Escort vehicle operation; training and certification;
20 insurance; exemption

21 A. Except as otherwise provided in this section, any individual
22 operating an escort vehicle that is escorting a vehicle required to be
23 permitted pursuant to this article or article 19 of this chapter on a highway
24 in this state shall have completed training in and be certified by a program
25 that meets the escort vehicle operator training and certification standards
26 of the commercial vehicle safety alliance or an equivalent program that meets
27 the same objectives ~~prior to~~ BEFORE entering into service as an escort
28 vehicle operator.

29 B. An escort vehicle operator shall repeat training and certification
30 requirements at least once every four years.

31 C. An escort vehicle operator shall:

32 1. Be at least eighteen years of age.

33 2. Have a valid driver license.

34 3. Have a legible and valid escort vehicle operator certificate issued
35 in this state or in another state in the operator's immediate possession
36 while operating an escort vehicle that is escorting a vehicle required to be
37 permitted pursuant to this article or article 19 of this chapter on a highway
38 in this state.

39 4. Have a minimum of four hours of training in certified traffic
40 control techniques.

41 D. ESCORT VEHICLE OPERATORS WHO ARE TRAINED AND CERTIFIED PURSUANT TO
42 SUBSECTION C, PARAGRAPH 4 MAY PERFORM TRAFFIC CONTROL UNDER GUIDELINES
43 DEVELOPED BY THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF PUBLIC
44 SAFETY AND THE TRANSPORTATION INDUSTRY. ESCORT VEHICLE OPERATORS WHO PERFORM
45 TRAFFIC CONTROL MUST HAVE IN FORCE A MINIMUM LEVEL OF COMMERCIAL LIABILITY

1 INSURANCE AS PRESCRIBED BY THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION
2 AND THAT IS NOT LESS THAN FIVE HUNDRED THOUSAND DOLLARS.

3 ~~D.~~ E. An individual who operates an escort vehicle in violation of
4 this section or rules adopted by the director relating to the operation of
5 escort vehicles is responsible for a civil traffic violation.

6 ~~E.~~ F. A department or agency of this state shall not consider the
7 violation for the purpose of determining whether the person's driver license
8 should be suspended or revoked and a court shall not transmit abstracts of
9 records of judgment for the violation to the department.

10 ~~F.~~ G. This section does not apply to law enforcement personnel
11 escorting oversized permitted loads in the conduct of their normal
12 duties or under contract to governmental entities.

13 ~~G.~~ H. A certification issued by another state authorizing a person to
14 escort vehicles required to be permitted pursuant to this article or article
15 19 of this chapter on a highway in this state satisfies the certification
16 requirements of this section BUT DOES NOT AUTHORIZE THE PERSON TO PERFORM
17 TRAFFIC CONTROL.

APPROVED BY THE GOVERNOR APRIL 20, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 21, 2010.